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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
GONZALO LOPEZ-HERNANDEZ,  
  
Defendant.

No. CR 06-645 WHA

**STIPULATION AND [PROPOSED]  
ORDER FOR CONTINUANCE OF  
BRIEFING SCHEDULE AND  
TRIAL DATE**

The parties stipulate and respectfully request as follows:

1. A motion hearing is scheduled for tomorrow, February 13, 2007 at 2:00 p.m.;
2. Defendant's attorney, AFPD Falk, must appear at an evidentiary hearing at 2:00 p.m. tomorrow, February 13, 2007, scheduled by the Honorable William B. Shubb on Friday, February 9, 2007. This evidentiary hearing relates to a matter in the trial of *United States v. Quan*, 04-323 WBS;
3. All briefing on Mr. Lopez-Hernandez' motion is now before the Court;
4. After conferring with the Clerk of Court, the parties stipulate to continue the hearing to

February 20, 2007 at 2:00 p.m. The parties also hereby stipulate and request the Court to vacate the trial date of February 20, 2007;

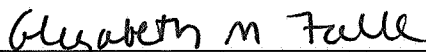
5. The parties further stipulate and agree that, pursuant to 18 U.S.C. § 3161(h)(1)(F), time is excluded by statute for the week period due to a pending pretrial motion that has not yet been heard by this Court.

**IT IS SO STIPULATED**

Dated: February 12, 2007

  
JULIE ARBUCKLE  
Assistant United States Attorney

Dated: February 12, 2007

  
ELIZABETH FALK  
Assistant Federal Public Defender

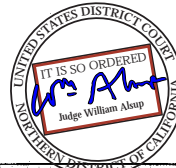
**~~PROPOSED~~ ORDER**

For the reasons stated herein, and for good cause shown, the motion hearing date previously established by this Court for Defendant's Motion to Dismiss the Indictment in the aforementioned case are hereby VACATED. The trial date of February 20, 2007 is also hereby VACATED.

The new date for the motion hearing is February 20, 2007 at 2:00 p.m.

**IT IS SO ORDERED.**

Dated: February 13, 2007



THE HONORABLE WILLIAM H. ALSUP  
UNITED STATES DISTRICT JUDGE